

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**ELIZABETH LITOWSKY**  
**a.k.a. LISA LITOWSKY**  
**260 Live Oak Street**  
**Auburn, CA 95603**

**Registered Nurse License No. 217870**  
**Public Health Nurse Certificate No. 16498**

Respondent

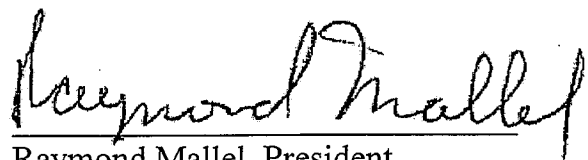
Case No. 2013-91

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **December 15, 2012.**

IT IS SO ORDERED **December 15, 2012.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 ASPASIA A. PAPAVALASSILIOU  
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*Attorneys for Complainant*

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9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-91

12 **ELIZABETH LITOWSKY**  
13 **a.k.a. LISA LITOWSKY**  
260 Live Oak Street  
14 Auburn, CA 95603

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 **Registered Nurse License No. 217870**  
16 **Public Health Nurse Certificate No. 16498**

17 Respondent.

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
20 proceeding that the following matters are true:

21 PARTIES

22 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
23 Registered Nursing. She brought this action solely in her official capacity and is represented in  
24 this matter by Kamala D. Harris, Attorney General of the State of California, by Aspasia A.  
25 Papavassiliou, Deputy Attorney General.

26 2. Elizabeth Litowsky, also known as Lisa Litowsky (Respondent) is representing  
27 herself in this proceeding and has chosen not to exercise her right to be represented by counsel.  
28

3. On or about July 31, 1971, the Board of Registered Nursing issued Registered Nurse License No. 217870 to Respondent. The Registered Nurse License expired on May 31, 2011, and has not been renewed.

4. On or about September 17, 1971, the Board of Registered Nursing issued Public Health Nurse Certificate No. 16498 to Respondent. The Public Health Nurse Certificate expired on May 31, 2011, and has not been renewed.

## JURISDICTION

5. The Accusation in Case No. 2013-91 (Accusation) was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 7, 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of the Accusation is attached as Exhibit A and incorporated by reference.

## ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in the Accusation. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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14. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

15. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

16. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 217870 and Public Health Nurse Certificate No. 16498, issued to Respondent Elizabeth Litowsky a.k.a. Lisa Litowsky, are surrendered and accepted by the Board of Registered Nursing.

1. The surrender of Respondent's Registered Nurse License and Public Health Nurse Certificate and the acceptance of the surrendered license and certificate by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Registered Nursing.

2. Respondent shall lose all rights and privileges as a registered nurse and public health nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license(s) and, if issued, her wall certificate(s) on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in the

1 Accusation in Case No. 2013-91 shall be deemed to be true, correct and admitted by Respondent  
2 when the Board determines whether to grant or deny the petition.

3 5. If and when Respondent's license is reinstated, she shall pay to the Board costs  
4 associated with its investigation and enforcement pursuant to Business and Professions Code  
5 section 125.3 in the amount of \$10,760.38. Respondent shall be permitted to pay these costs in a  
6 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the  
7 Board from reducing the amount of cost recovery upon reinstatement of the license.

8 6. If Respondent should ever apply or reapply for a new license or certification, or  
9 petition for reinstatement of a license, by any other health care licensing agency in the State of  
10 California, all of the charges and allegations contained in the Accusation in Case No. 2013-91  
11 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement  
12 of Issues or any other proceeding seeking to deny or restrict licensure.

13 7. Respondent shall not apply for licensure or petition for reinstatement for two (2)  
14 years from the effective date of the Board of Registered Nursing's Decision and Order.

15 ACCEPTANCE

16 I have carefully read the Stipulated Surrender of License and Order. I understand the  
17 stipulation and the effect it will have on my Registered Nurse License and Public Health Nurse  
18 Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly,  
19 and intelligently, and agree to be bound by the Decision and Order of the Board of Registered  
20 Nursing.

21  
22 DATED: 9-19-12

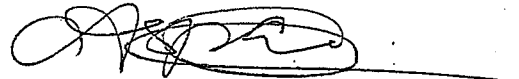
Lisa Litowsky  
ELIZABETH LITOWSKY,  
a.k.a. LISA LITOWSKY  
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: *September 25, 2012* Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General



ASPASIA A. PAPA VASSILIOU  
Deputy Attorney General  
*Attorneys for Complainant*

SF2012400990

**Exhibit A**

**Accusation in Case No. 2013-91**



1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 ASPASIA A. PAPAVALASSIOU  
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13 **a.k.a. LISA LITOWSKY**  
260 Live Oak Street  
14 Auburn, CA 95603

**ACCUSATION**

15 **Registered Nurse License No. 217870**  
16 **Public Health Nurse Certificate No. 16498**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about July 31, 1971, the Board of Registered Nursing issued Registered Nurse  
25 License Number 217870 to Elizabeth Litowsky, also known as Lisa Litowsky (Respondent). The  
26 Registered Nurse License expired on May 31, 2011, and has not been renewed.

3: On or about September 17, 1971, the Board of Registered Nursing issued Public Health Nurse Certificate Number 16498 to Respondent. The Public Health Nurse Certificate expired on May 31, 2011, and has not been renewed.

## JURISDICTION

4. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

7. Section 118, subdivision (b), of the Code also provides that the suspension, expiration, surrender, cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

## STATUTORY PROVISIONS

8. Section 2761, subdivision (a), of the Code provides that the board may take disciplinary action against a certified or licensed nurse for unprofessional conduct.

9. Section 2762, subdivision (e), of the Code provides that it is unprofessional conduct to falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to controlled substances or dangerous drugs.

## COST RECOVERY PROVISION

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

3 **CAUSE FOR DISCIPLINE**  
4 **(Unprofessional Conduct: False Entries Pertaining to Controlled Substances)**  
5 **(Bus. & Prof. Code §§ 2761, subd. (a) and 2762, subd. (e))**

6 11. Respondent has subjected her registered nurse license and public health nurse  
7 certificate to discipline under Code sections 2761, subdivision (a) (Unprofessional Conduct) and  
8 2762, subdivision (e) (False Entries Pertaining to Controlled Substances), because, from on or  
9 about January 2008, through on or about December 2008, while working as a registered nurse at  
10 San Francisco General Hospital and Trauma Center, Respondent regularly and repeatedly  
11 documented in the hospital record that she witnessed her colleague Martha Slinkard wasting  
12 controlled substances or dangerous drugs, when in fact, as Respondent later admitted to  
13 investigators, she did not observe Slinkard wasting the medications.

14 **PRAYER**

15 THEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
16 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

17 1. Revoking or suspending Registered Nurse License Number 217870, issued to  
18 Elizabeth Litowsky, a.k.a. Lisa Litowsky;

19 2. Revoking or suspending Public Health Nurse Certificate Number 16498, issued to  
20 Elizabeth Litowsky, a.k.a. Lisa Litowsky;

21 3. Ordering Elizabeth Litowsky, a.k.a. Lisa Litowsky, to pay the Board of Registered  
22 Nursing the reasonable costs of the investigation and enforcement of this case, under Business  
23 and Professions Code section 125.3;

24 4. Taking such other and further action as deemed necessary and proper.

25 DATED: August 7, 2012

Louise R. Bailey  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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